

**IN THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF ILLINOIS**

**PRANAV BHATTACHARYA and  
NAVANEETHA KOOTHAPILLAI,  
individually and for all others similarly  
situated,**

**Plaintiffs,**

**V.**

**CAPGEMINI NORTH AMERICA, INC.,  
CAPGEMINI FINANCIAL SERVICES  
USA, INC. and PETER KORNOWSKE,**

**Defendants.**

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**Case No. 1:16-cv-07950**

**Honorable Matthew F. Kennelly**

## **FINAL APPROVAL ORDER AND FINAL JUDGMENT**

On November 13, 2018, the Court heard the Parties' Joint Motion for Final Approval of a Class Action Settlement. The Court has considered the Motion and other related materials submitted by the Parties, as well as the Parties' presentation at the hearing on final approval, and otherwise being fully informed on the premises, hereby finds and orders as follows:

1. This Court has jurisdiction over the subject matter and over all Parties to this action pursuant to 28 U.S.C. § 1331 and § 502(a) of the Employee Retirement Income Security Act of 1974 (“ERISA”).

2. The Court finds that there is a bona fide legal and factual dispute between the Parties as to whether Defendants failed to comply with the requirements of ERISA, and whether Class Members are owed any damages for the alleged ERISA violations.

3. The Court grants final approval of the Settlement, as memorialized in the Settlement Agreement and filed with the Court.

4. The Court finds that the Settlement is fair, reasonable and adequate, and in the best interests of the Class Members. The Court finds that: (a) the strength of Plaintiffs' case on the merits weighed against Defendants' defenses, and the complexity, length and expense of further litigation, support approval of the Settlement; (b) the maximum Gross Settlement Amount of \$990,000.00 as set forth in the Settlement Agreement is a fair, reasonable and adequate Settlement of the claims; (c) the Settlement was reached pursuant to arm's-length negotiations between the Parties; (d) the support for the Settlement expressed by Class Counsel and counsel for Defendants, all of whom have significant experience representing parties in complex class actions, including those involving employee benefits claims, weighs in favor of approval of the Settlement; (e) the absence of any objections to the Settlement by Class Members supports approval of the Settlement; and (f) the litigation has progressed to a stage where the Court and the Parties could evaluate the merits of the case, potential damages, and the probable course of future litigation, and thus warrants approval of the Settlement.

5. The Court approves the Settlement as a final, fair, reasonable, adequate, and binding release of the claims of the Named Plaintiffs and the Class Members as provided in the Settlement Agreement.

6. The Notice of Proposed Settlement of a Class Action Lawsuit ("Class Notice") and Opt-Out Form (collectively, "Class Notice Materials"), sent to the Class Members by the Claims Administrator via first class mail adequately informed the Class Members of the terms of the Settlement Agreement, their estimated recovery if the Settlement was approved, their right to request exclusion from the Settlement and pursue their own remedies, and their opportunity to file written objections and appear and be heard at the Final Approval Hearing. The Notice Materials also adequately informed the Class Members of the address to contact both Class

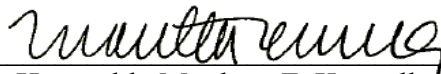
Counsel and the Claims Administrator. Thus, the Court finds that the Notice Materials provided to the Class satisfied the requirements of Rule 23(c)(2)(B).

7. This Court hereby dismisses the case in its entirety without prejudice, and without awarding costs to the Parties except as provided in the Settlement Agreement, and approves the Settlement and releases set forth in the Settlement Agreement. This dismissal will convert to dismissal with prejudice without any further order of the Court forty-five (45) days from the entry of this Final Approval Order.

8. The Court shall retain jurisdiction solely for the purpose of implementing and enforcing the terms of the Settlement Agreement and all orders and judgments entered in connection therewith.

**IT IS SO ORDERED.**

Dated: November 13, 2018

  
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The Honorable Matthew F. Kennelly  
United States District Court Judge  
Northern District of Illinois